

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a Washington
corporation,

Plaintiff,

v.

MOTOROLA, INC., and MOTOROLA
MOBILITY, INC., and GENERAL
INSTRUMENT CORPORATION,

Defendants.

CASE NO. C10-1823-JLR

MOTOROLA MOBILITY, INC. AND
GENERAL INSTRUMENT CORP.'S
AMENDED NOTICE OF APPEAL OF
PRELIMINARY INJUNCTION

MOTOROLA MOBILITY, INC., and
GENERAL INSTRUMENT CORPORATION,

Plaintiffs/Counterclaim Defendant,

v.

MICROSOFT CORPORATION,

Defendant/Counterclaim Plaintiff.

MOTOROLA MOBILITY, INC. AND GENERAL
INSTRUMENT CORP.'S AMENDED NOTICE OF APPEAL OF
PRELIMINARY INJUNCTION
CASE NO. C10-1823-JLR

4831-8746-4719.1

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1 NOTICE IS HEREBY GIVEN that Motorola Mobility, Inc., and General Instrument
 2 Corp., Plaintiffs and Counterclaim-Defendants in the above-captioned case, appeal to the United
 3 States Court of Appeals for the Ninth Circuit from the order of the District Court entered on
 4 May 14, 2012 (ECF No. 318), and all other orders or rulings merged or incorporated therein. The
 5 May 14 Order superseded the April 12 Order previously appealed from, ECF No. 261, as well as
 6 the April 11, 2012 transcript, ECF No. 277, explaining the April 12 Order. A copy of the May 14,
 7 2012 Order is attached hereto as Exhibit A. A copy of the April 12, 2012 Order is attached hereto
 8 as Exhibit B. A copy of the transcript reflecting this Court's explanation of the April 12, 2012
 9 Order is attached hereto as Exhibit C.

10 Plaintiffs and Counterclaim-Defendants/Appellants Motorola Mobility, Inc. and General
 11 Instrument Corp. further respectfully file this Amended Notice of Appeal in order to clarify that
 12 these two entities are the only Appellants prosecuting this appeal, because the appealed-from
 13 Order affects only their rights. Accordingly, pursuant to this Amended Notice of Appeal,
 14 Defendant Motorola Solutions, Inc. (formerly Motorola, Inc.) hereby withdraws from this appeal,
 15 which is limited solely to the preliminary injunction order under review, but expressly preserves
 16 its rights to appeal any and all other orders in this matter that do affect its rights. Plaintiffs and
 17 Counterclaim-Defendants/Appellants Motorola Mobility, Inc., and General Instrument Corp.
 18 respectfully state their view that the pending appeal should otherwise proceed undisturbed,
 19 according to the expedited schedule that the Court of Appeals has already set in order to account
 20 for the time sensitivity associated with reviewing the preliminary injunction under appeal. In any
 21 event, consistent with the operative time sensitivity, Motorola Mobility, Inc., and General
 22 Instrument Corp. intend to file their opening brief to the Court of Appeals as soon as practicable.

1 DATED this 16th day of May, 2012.

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MOTOROLA MOBILITY, INC. AND GENERAL
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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 16th day of May, 2012.

/s/ Marcia A. Ripley

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MOTOROLA MOBILITY, INC. AND GENERAL
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